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6 *And Morrison Holdings, LLC*

7
8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 WILL ROUNDTREE, an individual,

11 Plaintiff,

12 v.

13 JAY MORRISON ACADEMY, LLC and
14 MORRISON HOLDINGS, LLC

15 Defendants.

Case No.: 2:22-CV-1196 -RFB-DJA

**STIPULATION AND ORDER TO
EXTEND THE DEADLINE TO
RESPOND TO THE COMPLAINT**

(First Request)

16 Pursuant to Federal Rule of Civil Procedure 6(b)(1) and Local Rule 1A 6-1, Plaintiff WILL
17 ROUNDTREE and Defendants JAY MORRISON ACADEMY LLC (“JMA”) and MORRISON
18 HOLDINGS LLC (“MH”), by and through their respective counsel of record, Tiffany Hill of TH
19 Legal Consulting, LLC and Eric S. Powers of Powers Law on behalf of Plaintiff, and F.
20 Christopher Austin of Weide & Miller, Ltd., appearing on behalf of Defendants, hereby agree and
21 stipulate for an extension of time for Defendants to file and serve their answers or other responses
22 to the Complaint from the current deadline of August 18, 2022, up to and including September 9,
23 2022. This is the first request by the parties for such an extension.

24 Federal Rules of Civil Procedure 6(b) provides in pertinent part that “[w]hen an act may
25 or must be done within a specified time, the court may, for good cause, extend the time: (A) ... if
26 request is made, before the time or its extension expires” Fed. R. Civ. P. 6(b). Indeed, “[u]nder
27 Federal Rule of Civil Procedure 6(b), the court may, for good cause, extend a deadline if a request
28 is made “before the original time or its extension expires The Ninth Circuit has equated good

1 cause with the exercise of due diligence.” *Maxson v. H&R Block, Inc.*, Case No.: 2:16-cv-00152-
2 APG-CWH, 2017 WL 1078633, at *2 (D. Nev. Mar. 21, 2017) (citations omitted).

3 This stipulation is made before the expiration of the “original time” and good cause
4 exists for the stipulated extension to provide Defendants with an opportunity to consult
5 with their recently retained undersigned Defense counsel in this matter. Mr. Austin will be
6 out of the country in connection with a previously planned visit to family from August 21,
7 2022, through September 2, 2022, and will not be available to consult with Defendants on this
8 matter until his return to his office on September 5, 2022.

9 For the foregoing reasons, the parties hereby stipulate to extend the deadline for the
10 Defendants to answer or otherwise respond to the Complaint to September 9, 2022.

11 DATED: August 15, 2022.

12 **IT IS SO AGREED AND STIPULATED:**

13 **WEIDE & MILLER, LTD.**

14 By: /s/ Eric S. Powers,
Eric S. Powers, Esq. (NVB 12850)
15 **POWERS LAW**
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21 *Attorneys for Plaintiff Will Roundtree*
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23
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25 **IT IS SO ORDERED:**

26 
UNITED STATES MAGISTRATE JUDGE

27 DATED: August 16, 2022
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